

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL REVISION APPLICATION No 184 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE R.P.DHOLAKIA

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

RAJESH OMPRAKASH VADHAVAN

Versus

STATE OF GUJARAT

Appearance:

MR SURESH S PATEL for Petitioner

MR SA PANDYA, APP for Respondent No. 1

CORAM : MR.JUSTICE R.P.DHOLAKIA

Date of decision: 23/03/99

ORAL JUDGEMENT

Heard learned counsel for the petitioner, Mr.S.S.Patel and on behalf of the respondent-State, Mr.S.A.Pandya. The petitioner-accused has approached this Court only against the operative portion of the order passed by the Add. City Sessions Judge, Court No.18 in Criminal Revision Application No.30 of 1998 on 3-3-1999 which is as under:

"Considering the oral request as well as the letter sent to the Additional Registrar, the outer limit fixed by this Court directing him to file the charge sheet on or before dt. 01-03-1999, is further extended till dt. 15-04-1999."

Instead of stating the time limit, it seems from the order passed by the Court below that Court has directed the Investigating Officer to file the charge-sheet on or before 1-3-1998 which was extended till 15-4-1999. I entirely agree with submission made by the learned counsel for the petitioner that Court cannot direct the Investigating Officer for filing the charge-sheet. At the most Court can direct the Investigating Officer to investigate the matter and submit the report to that effect which, even learned APP has also accepted.

Looking to the facts and circumstances of the case, I allow this Criminal Revision Application and the word "charge sheet" mentioned in the operative portion of the order passed by the Court below on 3-3-1999 in Criminal Revision Application No.300 of 1998 is deleted and the Investigating Officer is hereby directed to investigate and submit the report on or before 15-4-1999.

This Criminal Revision Application stands disposed of accordingly.

(R.P.DHOLAKIA,J.)
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